

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/011,215	GONG ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Wilbert L. Starks, Jr.	2121	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the communication filed 10/25/2001.
2. ☒ The allowed claim(s) is/are 1-78.
3. ☒ The drawings filed on 25 October 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>8</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                        | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## **DETAILED ACTION**

### ***Reasons For Allowance***

1. Claims 1-78 are allowed.

2. The following is an Examiner's statement of reasons for allowance:

The cited prior art taken alone or in combination fails to teach the claimed invention of summarizing a video program, as claimed by Applicant. Specifically, independent claims 1, 12, 26, 40, 50, and 64 disclose the use of a machine learning method to identify audio segments for use in making a summary of the material.

3. The closest prior art of Krishnaswamy et al.<sup>1</sup> teaches video telephony over a hybrid network, but fails to teach or suggest the use of a machine learning method to identify audio segments for use in making a summary of the material to the extent that this feature does not exist in the prior art cited by Examiner, the present case is found to be allowable over the art of record.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

- A. Elliott et al. (U.S. Patent Number 6,754,181 B1; dated 22 June 2004; class 370; subclass 252) discloses a system and method for a directory service supporting a hybrid communication system architecture.
- B. Eastep et al. (U.S. Patent Number 6,731,625 B1; dated 04 May 2004; class 370; subclass 352) discloses a system, method and article of manufacture for a call back architecture in a hybrid network with support for Internet telephony.
- C. Elliott et al. (U.S. Patent Number 6,335,927 B1; dated 01 January 2002; class 370; subclass 352) discloses a system and method for providing requested quality of service in a hybrid network.
- D. Krishnaswamy et al. (U.S. Patent Number 5,999,525 A; dated 07 December 1999; class 370; subclass 352) discloses a method for video telephony over a hybrid network.

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<sup>1</sup> Krishnaswamy et al. (U.S. Patent Number 5,999,525 A; dated 07 December 1999; class 370; subclass 352) discloses a method for video telephony over a hybrid network.

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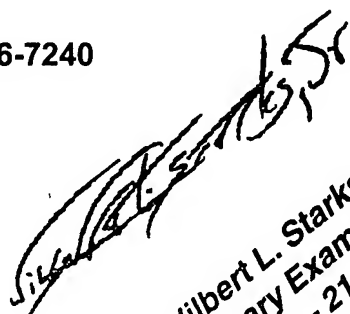
- E. Elliott et al. (U.S. Patent Number 5,867,495 A; dated 02 February 1999; class 370; subclass 352) discloses a system, method and article of manufacture for communications utilizing calling, plans in a hybrid network.
- F. Krishnaswamy et al. (U.S. Patent Number 5,867,494 A; dated 02 February 1999; class 370; subclass 352) discloses a system, method and article of manufacture with integrated video conferencing billing in a communication system architecture.
6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Wilbert L. Starks, Jr. whose telephone number is (571) 272-3691.

Alternatively, inquiries may be directed to the following:

<b>S. P. E. Anthony Knight</b>	<b>(571) 272-3687</b>
<b>After-final (FAX)</b>	<b>(703) 746-7238</b>
<b>Official (FAX)</b>	<b>(703) 746-7239</b>
<b>Non-Official/Draft (FAX)</b>	<b>(703) 746-7240</b>

WLS

18 February 2005

  
Wilbert L. Starks, Jr.  
Primary Examiner  
Art Unit - 2121